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WAR FOOD ADMINISTRATION

[WFO 74, Amdt 2]

PART 1598—GENERAL REGULATIONS

LICENSED SHIP SUPPLIERS PERMITTED TO BUY
SET-ASIDE AND RESTRICTED FOOD

War Food Order No. 74, as amended, 9 F.R. 4321, 3419 (formerly Food Distribution Regulation No. 3, as amended, 8 F.R. 13880, 8 F.R. 14017, 8 F.R. 15655), is hereby further amended to read as follows:

§ 1598.7 *Purchase and sale of set-aside and restricted food by licensed ship suppliers*—(a) *Definitions.* For the purposes of this order:

(1) "Ship operator" means any person conducting the business of vessels for the account of the United States under a general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration; or operating a vessel, the services of which are employed by the United States, represented by the Administrator of the War Shipping Administration; or operating a vessel designated by the War Shipping Administration, which is owned, chartered, or operated by any allied or neutral country.

(2) "Set-aside food" means that portion of any of the foods listed in Schedule A hereof, as amended from time to time, held by any person pursuant to a food order.

(3) "Restricted food" means that portion of any of the foods listed in Schedule B hereof, as amended from time to time, which a person restricted by a food order has sold or may sell without such sales being charged against his quota under the food order.

(4) "Designated food" means that portion of any of the foods listed in Schedule C hereof, as amended from time to time, held by any person pursuant to a food order.

(5) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, and includes the States and their political subdivisions and agencies. Separate branches or outlets of any firm shall be considered separate persons.

(6) "Director" means the Director of Distribution, War Food Administration.

(7) "Ship supplier" means any person who during the last six months of 1942 was regularly engaged in operating a bona fide business of supplying food-stuffs directly to ship operators for ship stores.

(8) "Ship stores inventory" means that quantity of set-aside, restricted, and designated food which the ship supplier has

obtained for sale as ship stores by use of certificates under this order, under War Food Order No. 73, as amended, 9 F.R. 4321, 4319 (formerly Food Distribution Regulation No. 2, as amended, 8 F.R. 7523, 8 F.R. 15655), or by special authorization from the Director, and which is (i) owned by him and in his possession, (ii) in transit to him, (iii) on consignment to him and in his possession, or (iv) in storage subject to his disposition. It also includes all food purchased or ordered by a ship supplier through the use of certificates under this order which has not been delivered, and includes foods bought through a ship supplier but to be delivered directly to the ship operator by the person from whom it was ordered by the ship supplier.

(9) "Ship stores quota" means a quantity of any set-aside, restricted, or designated food equal to the total quantity of such food sold directly to ship operators by a ship supplier (each outlet considered separately), during any two calendar months during the period July 1, 1942 to June 30, 1943.

(b) *License required of ship suppliers.* A ship supplier in order to obtain any set-aside, restricted, or designated foods for delivery to ship operators must hold a valid and effective license under the provisions of this order. Separate licenses are required for each outlet selling food for ship stores regardless of common ownership of two or more of such outlets.

(c) *Issuance of licenses.* All applications for licenses under this order shall be submitted on such forms and contain such information as the Director may require. Application forms may be obtained from regional offices of the Office of Distribution, War Food Administration, or regional offices of War Shipping Administration. Applications shall be submitted to the War Shipping Administration for approval. Upon the receipt of an application properly executed, and approved by the War Shipping Administration, the Director shall issue the license unless he has reason to believe that the applicant did not, cannot, or will not comply with the provisions of this order. Licenses issued hereunder may not be transferred in any manner. At any time the War Shipping Administration may withdraw its approval given hereunder, and thereupon shall advise the Director promptly.

(d) *Sales of food acquired under this order by ship suppliers.* A licensed ship supplier may sell or deliver food contained in his ship stores inventory only to a ship operator for immediate delivery on board a vessel, or to another licensed ship supplier who furnishes the certificate provided for in this order. Licensed ship suppliers shall not sell or deliver any such food to any other person or to

any ship operator for purposes other than immediate delivery on board a vessel.

(e) *Acquisition of set-aside and restricted food by ship suppliers.* The ship stores inventory of any set-aside, restricted, or designated food of any licensed ship supplier may not exceed his ship stores quota. Within this limitation, and not otherwise, licensed ship suppliers may purchase set-aside and restricted food pursuant to this order. A ship supplier may not acquire any item of food under this order unless he has a ship stores quota for that item of food. If, on the effective date of a license issued under this order, a licensed ship supplier has a total ship stores inventory greater than his ship stores quota, he shall not purchase any of the kinds of set-aside, restricted, or designated food which he holds in excess of his ship stores quota until he has reduced his holdings below his ship stores quota.

(f) *Certifications.* Licensed ship suppliers shall attach to each of their purchase orders for set-aside and restricted food under this order a certificate in substantially the following form:

I hereby certify and represent to the War Food Administrator and to the seller that the quantities of the commodities listed herein and included in the attached purchase order are and may be ordered pursuant to the provisions of WFO 74, with the terms of which I am familiar.

Date	Name of firm	Address
_____	_____	_____
_____	_____	_____

License number _____ Authorized representative _____

This certificate shall not be used for purchases of other than set-aside, restricted, or designated food for sale as ship stores. This certificate must also be attached to all requests for transfers of food between divisions, branches, or outlets of one firm or company.

(g) *Sales of set-aside, restricted, and designated food to ship suppliers.* Notwithstanding the provisions of any food order now or hereafter issued, unless specifically prohibited therein, any licensed ship supplier may purchase set-aside, restricted, or designated food for sale as ship stores from any person and any person may sell or deliver set-aside, restricted, or designated food for sale as ship stores to licensed ship suppliers: *Provided*, That all such purchases are certified as provided in paragraphs (f) and (h). All such sales or deliveries may be reported and considered by the sellers in the same manner as sales to the War Shipping Administration. Purchases of set-aside, restricted, and designated food by licensed ship suppliers for purposes other than sale to ship operators are unaffected by this order.

(h) *Acquisition of designated food by ship suppliers.* Designated food may be purchased by licensed ship suppliers only by complying with provisions of paragraphs (e), (f), and (g) hereof and, in addition thereto, by securing special authorization therefor from the Director. Applications for such authorization shall be sent to the Director and shall specify the items desired and the quantity, quality, and container size desired. The name of the person from whom it is proposed to buy these foods shall also be stated. Applications may be made by mail or by telegraph. The certificate used for the purchase of designated food shall contain the following statement in addition to the statement prescribed by paragraph (f) hereof:

The purchase of all designated food listed hereon has been authorized by the Director of Distribution, War Food Administration.

(i) *Purchases from intermediate distributors.* A ship supplier may purchase set-aside and restricted food for ship stores directly from the person who is required to set aside food or who is restricted by any food order, or may purchase such food indirectly from jobbers, wholesalers, or other intermediate distributors. Where such purchases are made indirectly, the intermediate distributor shall make copies of the certificates provided in paragraph (f) hereof, certified by him to be correct, or may make lists of all or part of the food items on such certificates, certified by him to be correct. Any person may sell to any intermediate distributor the quantities of set-aside food or restricted food covered by such certified copy or certified list furnished to him and may treat such sales in the same manner as sales of ship stores made directly to licensed ship suppliers.

(j) *Change in ship stores quotas.* (1) When recommended by the War Shipping Administration, the Director may authorize an emergency increase in the ship stores quota of any licensed ship supplier. The Director may limit the duration of such increase.

(2) The Director may increase or reduce the ship stores quota of any licensed ship supplier, and may establish a ship stores quota for any licensed ship supplier.

(k) *Stockpiles established at the request of the War Shipping Administration.* None of the provisions of this regulation shall apply to any acquisition or disposition by licensed ship suppliers of food acquired by them for stockpiling purposes pursuant to written instructions concerning these stockpiling operations, issued by the War Shipping Administration, and subject to the direction and control of the War Shipping Administration.

(l) *Records and reports.* (1) Every licensed ship supplier must submit a report on form FDR 3-2 to Administrator, WFO 74, War Food Administration, Washington 25, D. C., not later than the 10th day of each calendar month, which report shall give data relative to food handled under the order during the preceding calendar month.

(2) The Director shall be entitled to obtain such other information from and

require such other reports and the keeping of such records by any person as may be necessary or appropriate in his discretion to the enforcement of the provisions of this order.

(3) Every person subject to this order shall, for at least two years (or for such other period of time as the Director may designate), maintain an accurate record of his transactions in set-aside, restricted, and designated food, and a record of his ship stores inventory at the end of each calendar month. Every person receiving certificates or lists as provided in paragraphs (d), (g), and (i) hereof, shall preserve them for at least two years.

(m) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises and inventories of any person affected by this order and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(n) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply, in writing, for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(o) *Revocation of license.* At any time, the Director may suspend or revoke the license granted under this order to any licensed ship supplier. Upon being notified by the War Shipping Administration that it has withdrawn its approval under the provisions of paragraph (c) of this order with respect to any licensee hereunder, the Director shall revoke the license of that licensee. A ship supplier whose license is suspended or revoked by the Director shall dispose of his ship stores inventory according to instructions issued by the Director.

(p) *Violations.* The Director may prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using any materials listed in Schedule A, Schedule B, or Schedule C hereof, or as such schedules may hereafter be amended. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any or all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(q) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Administrator, WFO 74, War Food Administration, Washington 25, D. C.

(r) *Territorial extent.* This order applies to all persons in the forty-eight States, the District of Columbia, the territories, and the possessions of the United States.

(s) *Delegation of authority.* The administration of this order and the pow-

ers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to amend the schedules to this order and is authorized to redelegate to any person within the United States Department of Agriculture any or all of the authority vested in him by this order.

(t) *Effective date.* The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 15, 1944. With respect to violations of said War Food Order No. 74, as amended, rights accrued, or liabilities incurred thereunder prior to the effective time of this amendment, said War Food Order No. 74, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action or other proceeding with respect to any such violation, right or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E. O. 9392, 8 F.R. 14783)

Issued this 14th day of July 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

SCHEDULE A

Set-aside foods:	Applicable War Food Order
American (Cheddar) cheese.....	15
Beef.....	75-2
Dried Skim Milk.....	54
Rice.....	10
Butter.....	2

SCHEDULE B

Restricted foods:	
Frozen dairy foods.....	8
Fats and oils (excluding lard). (Limited to salad and cooking fats, shortening and compounds, margarine, and soap (bar soap and soap powder))....	42
Honey.....	47
Imported salted fish.....	72
Milk, Milk by-products, and cream.....	79
Molasses.....	51
Peanuts and peanut butter.....	89
Spices.....	19
Tea.....	18
Dried Milk (Excepting skim).....	93
Cheese and Cheese Foods (Excepting Cheddar, cottage, pot and bakers)....	92

SCHEDULE C

Designated foods:	
Canned fish and shellfish (Limited to Maine and California sardines, salmon, mackerel).....	44
Canned fruits and fruit juices (Limited to apples, apricots, berries, red sour pitted cherries, figs, fruit-cocktail, grapefruit, peaches, pears, pineapple, orange juice, grapefruit juice, orange and grapefruit juice, and pineapple juice).....	22-5, 6
Canned vegetables and vegetable juices (Limited to asparagus, lima beans, snap beans, beets, carrots, corn, peas, pumpkin and squash, spinach, tomatoes, tomato puree, tomato paste, tomato juice, and tomato catsup).....	22-6
Dehydrated vegetables (Limited to onions).....	30
Dried fruits (Limited to apples, apricots, pears, peaches, prunes, and raisins).....	16

War Food Administration,
Summary to WFO 74, Amendment 2.

The War Food Administration has amended War Food Order No. 74 to clarify a number of points in the order. As amended, the order will include the following changes:

Under paragraph (a) item (5) a clause specifies that separate branches or outlets of particular firms are to be considered separate persons. This conforms with paragraph (b) which requires a separate license for each outlet.

Paragraph (a) item (7) defines a ship supplier as "any person who during the

last six months of 1942 was regularly engaged in operating a bona fide business of supplying foodstuffs directly to ship operators for ship stores." "At any time" was deleted to clarify the intent of the paragraph.

Paragraph (e) was rewritten to emphasize the necessity of a ship supplier obtaining a ship stores' quota for each and every commodity which he desires to purchase under his license.

Under paragraph (f) an addition was made to require licensed branch houses to furnish certificates covering transfers made between the main office and

branches. This is expected to be effective in maintaining accounting control and in providing the main office evidence of set-aside deliveries.

Paragraph (a) item (8) was further clarified to include in the ship stores' inventory commodities purchased by a ship supplier for delivery by the processor directly to a ship operator and whereby the processor bills the ship supplier who in turn bills the ship operator.

Paragraph (1) item (1) was changed to emphasize the requirement of ship suppliers furnishing monthly reports promptly on form FDR 3-2.

WAR FOOD ADMINISTRATION
OFFICE OF DISTRIBUTION
WASHINGTON 25, D. C.

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WAR FOOD ADMINISTRATION
Commodity Credit Corporation
Office of Supply
Washington 25, D. C.

CORRECTION NOTICE - WAR FOOD ORDER 74, AMENDMENT 4 - LICENSED SHIP SUPPLIERS
PERMITTED TO BUY SET-ASIDE AND RESTRICTED FOOD

In printing WFO 74, Amendment 4, dated May 17, 1945, the following errors occurred:

In the first sentence of paragraph (e), page 1, third column, line 2, the word "and" should be deleted and the word "any" should be inserted so that part of the sentence preceding the colon reads:

"Each licensed ship supplier shall establish his ship stores quota as that quantity of any set-aside, restricted, or designated food equal to the total quantity of such food sold directly to ship operators by him (each outlet considered separately) during any two calendar months of the period July 1, 1942 to June 30, 1943:"

In the first sentence of paragraph (h), page 2, first column, line 8, the word "purchasers" should be deleted and the word "purchases" should be inserted so that part of the sentence following the colon reads:

"Provided, That all such purchases are certified as provided in paragraphs (g) and (i)."



WAR FOOD ADMINISTRATION

[WFO 74, Amdt. 4]

PART 1598—GENERAL REGULATIONS

LICENSED SHIP SUPPLIERS PERMITTED TO
BUY SET-ASIDE AND RESTRICTED FOOD

War Food Order No. 74, as amended, 9 F.R. 4321, 3419, 8002, 10 F.R. 103, is hereby further amended to read as follows:

§ 1598.7 *Purchase and sale of set-aside and restricted food by licensed ship suppliers*—(a) *Definitions.* For the purposes of this order:

(1) "Ship operator" means any person conducting the business of vessels for the account of the United States under a general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration; or operating a vessel, the services of which are employed by the United States, represented by the Administrator of the War Shipping Administration; or operating a vessel designated by the War Shipping Administration, which is owned, chartered, or operated by any allied or neutral country.

(2) "Set-aside food" means that portion of any of the foods listed in Schedule A hereof, as amended from time to time, held by any person pursuant to a War Food Order.

(3) "Restricted food" means that portion of any of the foods listed in Schedule B hereof, as amended from time to time, which a person restricted by a War Food Order has sold or may sell without such sales being charged against his quota under the War Food Order.

(4) "Designated food" means that portion of any of the foods listed in Schedule C hereof, as amended from time to time, held by any person pursuant to a War Food Order.

(5) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, and includes the States and their political subdivisions and agencies. Separate branches or outlets of any firm shall be considered separate persons.

(6) "Director of Supply" means the Director of Supply, Commodity Credit Corporation, War Food Administration.

(7) "Director of Marketing Services" means the Director of Marketing Services, War Food Administration.

(8) "Ship supplier" means any person who, during the last six months of 1942, was regularly engaged in a bona fide business of supplying foodstuffs directly to ship operators for ship stores.

(9) "Ship stores inventory" means that quantity of set-aside, restricted, and designated food which a ship supplier has obtained for sale as ship stores through the use of certificates under this War Food Order 74, or by special authorization from the Director of Supply, and which is (i) owned by him and in his

possession, (ii) in transit to him, (iii) on consignment to him and in his possession, or (iv) in storage subject to his disposition. It also includes that quantity of food which the ship supplier has purchased or ordered through the use of certificates under this War Food Order 74 which has not been delivered, and food to be delivered by a person other than the ship supplier directly to a ship operator, at the direction of the ship supplier.

(10) "Ship stores quota" means a quantity of any set-aside, restricted, or designated food determined under paragraph (e) hereof and represents the maximum quantity of any of these foods which may be held in a ship stores inventory.

(b) *License required of ship suppliers.* A ship supplier must hold a valid and effective license under the provisions of this War Food Order 74 to obtain any set-aside, restricted, or designated foods for delivery to ship operators. Separate licenses are required for each outlet selling food for ship stores regardless of common ownership of two or more of such outlets.

(c) *Issuance of licenses.* Applications for licenses under this order shall be submitted on such forms and contain such information as the Director of Supply may require. Application forms may be obtained from regional offices of the Office of Supply, Commodity Credit Corporation, War Food Administration, or regional offices of War Shipping Administration. Applications shall be submitted to the War Shipping Administration for approval. Upon the receipt of an application properly executed, and approved by the War Shipping Administration, the Director of Supply shall issue the license unless he has reason to believe that the applicant did not, cannot, or will not comply with the provisions of this order. Licenses issued hereunder may not be transferred in any manner. At any time the War Shipping Administration may withdraw its approval given hereunder, and thereupon shall advise the Director of Supply promptly.

(d) *Sales of food acquired under this order by ship suppliers.* A licensed ship supplier may sell or deliver food contained in his ship stores inventory only to a ship operator for immediate delivery on board a vessel, to another licensed ship supplier who furnishes the certificate provided for in this order, or to a person designated by the Director of Supply. Licensed ship suppliers shall not sell or deliver any such food to any other person, or to any ship operator for purposes other than immediate delivery on board a vessel. Licensed ship suppliers may not sell or deliver any such food to or through any unlicensed subsidiary or affiliate.

(e) *Determination of ship stores quota.* Each licensed ship supplier shall establish his ship stores quota as that quantity of any set-aside, restricted, or designated food equal to the total quantity of such food sold directly to ship

operators by him (each outlet considered separately) during and two calendar months of the period July 1, 1942 to June 30, 1943: *Provided*, That each ship supplier may apply prior to August 1, 1945 to the Director of Supply on Form FDO-74-3 for permission to establish, as his ship stores quota, that quantity of all set-aside, restricted, or designated food equal to the total quantity of each of such foods sold by him (each outlet considered separately) directly to ship operators during any two calendar months of the period July 1, 1944 to April 30, 1945. The Director of Supply may approve the establishment of such ship stores quota and shall state in his approval the date when such new ship stores quota shall become effective. Upon approval by the Director of Supply, such new ship stores quotas shall at that time supersede all other quotas and special authorizations of the ship supplier receiving the new ship stores quota.

(f) *Acquisition of set-aside, restricted, and designated food by ship suppliers.* Purchases by a licensed ship supplier shall be conducted so that his ship stores inventory of any set-aside, restricted, or designated food shall not at any time exceed his ship stores quota. A licensed ship supplier shall not have a ship's store inventory of any food in excess of his ship's stores quota for that food. A ship supplier may not acquire any item of food under this order unless he has a ship stores quota for that item of food.

(g) *Certifications.* Licensed ship suppliers shall attach to each of their purchase orders for set-aside, restricted, and designated food under this order a certificate in substantially the following form:

I hereby certify and represent to the War Food Administrator and to the seller that I have a ship stores quota for each of the items ordered with this certificate and that the ordering of the quantities of the commodities listed herein and included in the attached purchase order will not result in a ship stores inventory in excess of my ship stores quota and may be purchased pursuant to the provisions of WFO 74, with the terms of which I am familiar.

The following items in the quantities indicated are covered by this certificate:

Date	Name of firm
	Address
License number	Authorized representative

This certificate shall not be used for purchases of other than set-aside, restricted, or designated food for sale as ship stores. This certificate must also be attached to all requests for transfers of food between divisions, branches, outlets, subsidiaries, or affiliates of one firm or company.

(h) *Sales of set-aside, restricted, and designated food to ship suppliers.* Notwithstanding the provisions of any food order now or hereafter issued, unless specifically prohibited therein, any licensed

ship supplier may purchase set-aside, restricted, or designated food for sale to ship operators as ship stores from any person and any person may sell or deliver set-aside, restricted, or designated food for sale as ship stores to licensed ship suppliers: *Provided*, That all such purchasers are certified as provided in paragraphs (g) and (i). All such sales or deliveries may be reported and considered by the sellers in the same manner as sales to the War Shipping Administration.

(i) *Acquisition of designated food by ship suppliers.* Designated food may be purchased by licensed ship suppliers only by complying with provisions of paragraphs (f), (g) and (h) hereof and, in addition thereto, by securing special authorization therefor from the Director of Marketing Services. Applications for such authorization shall be sent to the Order Administrator, War Food Order 74, War Food Administration, Washington 25, D. C., and shall specify the items desired and the quantity, quality, and container size desired. The name of the person from whom it is proposed to buy these foods shall also be stated. Applications may be made by mail or by telegraph. The certificate used for the purchase of designated food shall contain the following statement in addition to the statement prescribed by paragraph (g) hereof:

The purchase of all designated food listed hereon has been authorized by the Director of Marketing Services, War Food Administration.

(j) *Purchases from intermediate distributors.* A ship supplier may purchase set-aside and restricted food indirectly, through jobbers, wholesalers, or other intermediate distributors. Where such purchases are made, the intermediate distributor shall make copies of the certificate provided in paragraph (h) hereof, certified by him to be correct, and shall retain such copies in his records. Any person may sell to any intermediate distributor quantities of set-aside food or restricted foods covered by the original certificate furnished to him by the intermediate distributor, who has endorsed his name and address upon it, and may treat such sales in the same manner as sales made directly to a ship supplier.

(k) *Change in ship stores quotas.* (1) When recommended by the War Shipping Administration, the Director of Supply may authorize an emergency increase in the ship stores quota of any licensed ship supplier. The Director of Supply may limit the duration of such increase.

(2) The Director of Supply may increase or reduce the ship stores quota of any licensed ship supplier, and may establish a ship stores quota for any licensed ship supplier.

(l) *Records and reports.* (1) Every licensed ship supplier must mail a report on form FDO-74-2 with respect to each calendar month, to Administrator, War Food Order 74, War Food Administration, Washington 25, D. C., not later than the 10th day of the next calendar month.

(2) The Director of Supply shall be entitled to obtain such other information from and require such other reports and the keeping of such records by any person as may be necessary or appropriate in his discretion to the enforcement of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) Every person subject to this order shall, for at least two years (or for such other period of time as the Director of Supply may designate), maintain an accurate record of his transactions in set-aside, restricted, and designated food, and a record of his ship stores inventory at the end of each calendar month. He shall also keep for this period, copies of all certificates issued by him under paragraphs (g) and (i) hereof. Every person receiving certificates as provided in paragraphs (g), (i), and (j) hereof, shall preserve them for at least two years.

(m) *Audits and inspections.* The Director of Supply shall be entitled to make such audit or inspection of the books, records, and other writings, premises and inventories of any person affected by this order and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(n) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing, for relief to the Director of Supply, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director of Supply may thereupon take such action as he deems appropriate and such action shall be final.

(o) *Revocation of license.* (1) At any time, the Director of Supply may suspend or revoke the license granted under this order to any licensed ship supplier. (2) Upon being notified by the War Shipping Administration that, after providing a licensee with a copy of that Administration's proposal to withdraw its approval and the reasons therefor and after providing such licensee with an opportunity for a hearing thereon, it has withdrawn its approval under the provisions of paragraph (c) of this order with respect to such licensee hereunder, the Director of Supply shall revoke the license of that licensee. (3) A ship supplier whose license is suspended or revoked by the Director of Supply shall dispose of his ship stores inventory according to instructions issued by the Director of Supply.

(p) *Violations.* The Director of Supply may prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using any materials listed in Schedule A, Schedule B, or Schedule C hereof, or as such schedules may hereafter be amended. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be

prosecuted under any or all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(q) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Administrator, War Food Order 74, War Food Administration, Washington 25, D. C.

(r) *Territorial extent.* This order applies to all persons in the forty-eight states, the District of Columbia, the territories, and the possessions of the United States.

(s) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director of Supply. The Director of Supply is authorized to amend the schedules to this order and is authorized to redelegate to any person within the United States Department of Agriculture any or all of the authority vested in him by this order.

(t) *Effect on liability of removal of food from order.* The removal of any food from any schedule to this order shall not be construed to affect in any way any liability for violations of this order which accrued or were incurred prior to the date of removal.

(u) *Effective date.* The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1945. With respect to violations of said War Food Order No. 74, as amended, rights accrued, or liabilities incurred thereunder prior to the effective time of this amendment, said War Food Order No. 74, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action or other proceeding with respect to any such violation, right or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 17th day of May 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

SCHEDULE A

Set-aside foods:	Applicable war food order
American (Cheddar) cheese.....	15
Beef	75. 2
Pork	75. 3
Veal	75. 4
Lamb	75. 5
Dried Skim Milk.....	54
Rice	10
Butter	2
Lard.....	75. 3

SCHEDULE B

	<i>Applicable war food order</i>
Restricted foods:	
Frozen dairy foods.....	8
Fats and oils (excluding lard) (Limited to salad and cooking fats, shortening and compounds, margarine, and soap (bar soap and soap powder)).....	42
Honey.....	47

Restricted foods—Continued.	<i>Applicable war food order</i>
Imported salted fish.....	72
Milk, Milk by-products, and cream..	79
Molasses.....	51
Spices.....	19
Tea.....	18
Dried Milk (Excepting skim).....	93
Cheese and Cheese Foods (Excepting Cheddar, cottage, pot and bakers) ..	92

SCHEDULE C

	<i>Applicable war food order</i>
Designated foods:	
Canned fish and shellfish (Limited to Maine and California sardines, salmon, mackerel)	44
Dried fruits (Limited to apples, apricots, pears, peaches, prunes, and raisins).....	16

War Food Administration,
Summary to WFO 74, Amendment 4.

The War Food Administration has amended War Food Order 74 to provide a number of needed changes. Under this order ship suppliers are authorized to obtain set-aside, restricted and designated foods for delivery to War Shipping Administration vessels.

The most important change permits a shift in the base period for determining the "ship stores' quota"—the maximum quantity of food a ship supplier can stockpile—from any two calendar months of the period July 1, 1942—June 30, 1943, to any two calendar months of

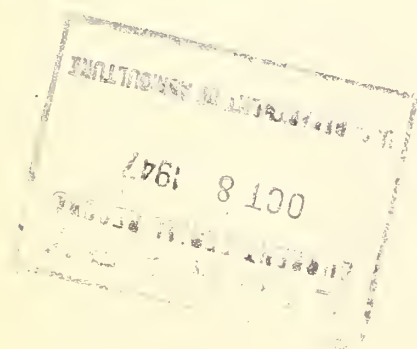
the period July 1, 1944—April 30, 1945. This adjustment will be authorized only after approval by the Director of Supply. Since sales to ship operators have been increased in recent months due to greater tonnage, this change in the base period will allow ship suppliers to maintain larger inventories to take care of increased requirements of War Shipping Administration vessels.

If an adjustment of quotas is desired, an application for a "revised ship stores' quota" (form FDO-74-3) should be filled in and mailed in triplicate to the Director of Supply, attention: Administrator, WFO 74, War Food Administration, Washington 25, D. C., before August 1,

1945. The revised quotas, if approved, supersede all former quotas. If the supplier does not elect to request a change, or the new quotas are not approved, the old quotas will remain in effect.

Other changes are: Effective immediately, ship suppliers are required to use a new form of certification when making purchases. Also, effective immediately copies of all certificates must be kept by ship suppliers for at least two years.

Minor changes in phraseology of other provisions have been made for the purpose of clarification, but in substance these provisions remain essentially the same.

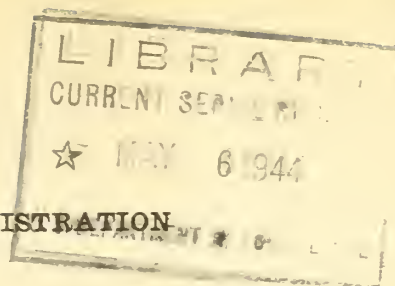


INSTRUMENTS AND EQUIPMENT

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WAR FOOD ADMINISTRATION

[WFO 74-2]

PART 1598—GENERAL REGULATIONS

REVISION OF SCHEDULES

Pursuant to the authority vested in me by the provisions of War Food Order No. 74 (8 F.R. 13880, 15655, § 1598.7; 9 F.R. 4319), the schedules to that order are hereby further revised to read as follows:

SCHEDULE A

	<i>Applicable Food Distribution Order</i>
Set aside foods:	
American (Cheddar) cheese.....	15
Beef.....	75-2
Dried Skim Milk.....	54
Rice.....	10
Butter.....	2

SCHEDULE B

Restricted foods:	
Frozen dairy foods.....	8
Fats and oils (excluding lard). (Limited to salad and cooking fats, shortening and compounds, margarine, and soap (bar soap and soap powder)).....	42

SCHEDULE B—Continued

Restricted foods:	<i>Applicable Food Distribution Order</i>
Honey.....	47
Imported salted fish.....	72
Milk, Milk by-products, and cream..	79
Molasses.....	51
Peanuts and peanut butter.....	89
Spices.....	19
Tea.....	18
Dried Milk (Excepting skim).....	93
Cheese and Cheese Foods (Excepting Cheddar, cottage, pot and bakers).....	92

SCHEDULE C

Designated foods:	
Canned fish and shellfish (Limited to Maine and California sardines, salmon, shrimp, mackerel).....	44
Canned fruits and fruit juices (Limited to apples, apricots, berries, red sour pitted cherries, figs, fruit-cocktail, grapefruit, peaches, pears, pineapple, orange juice, grapefruit juice, orange and grapefruit juice, and pineapple juice).....	22-4

SCHEDULE C—Continued

Designated foods:	<i>Applicable Food Distribution Order</i>
Canned vegetables and vegetable juices (Limited to asparagus, lima beans, snap beans, beets, carrots, corn, peas, pumpkin and squash, spinach, tomatoes, tomato puree, tomato paste, tomato juice, and tomato catsup).....	22-4
Dehydrated vegetables (Limited to beets, cabbage, onions and rutabagas).....	30
Dried fruits (Limited to apples, apricots, pears, peaches, prunes, and raisins).....	16

This revision shall be effective on May 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; W.F.O. No. 74, 8 F.R. 13880, 15655, 9 F.R. 4319).

Issued this 27th day of April 1944.

LEE MARSHALL,
Director of Distribution.

War Food Administration,
Summary to WFO-74-2

To meet changing conditions in food supplies, the War Food Administration today made several revisions in War Food Order No. 74 (formerly designated Food Distribution Regulation No. 3), which requires that ship suppliers be licensed in order to buy set-aside, restricted and designated foods for ultimate resale to ship operators.

Effective May 1, 1944, butter will be deleted from Schedule C, (designated foods) and added to Schedule A (set-aside foods) while concentrated citrus juices will be removed from this list.

To the list of foods under Schedule B have been added dry whole milk and cheese and cheese foods, excepting cottage, pot, bakers and cheddar, which is already included as a set-aside food.

Dried beans and peas have been removed from the list of designated food under Schedule C.

Set-aside food refers to that portion of the food which is held or set-aside for government procurement under a War Food Order. Restricted foods are those on which civilian use is limited and government agencies are permitted

to buy in excess of the civilian quota. Designated foods are those set aside foods which are in particular short supply and therefore require special clearance before ship suppliers can obtain them.

The revised schedules are as follows:

SCHEDULE A

Set aside foods:	<i>Applicable Food Distribution Order</i>
American (Cheddar) cheese.....	15
Beef.....	75-2
Dried Skim Milk.....	54
Rice.....	10
Butter.....	2

SCHEDULE B

Restricted foods:	
Frozen dairy foods.....	8
Fats and oils (excluding lard) (Limited to salad and cooking fats, shortening and compounds, margarine, and soap (bar soap and soap powder)).....	42
Honey.....	47
Imported salted fish.....	72
Milk, Milk by-products, and cream..	79
Molasses.....	51
Peanuts and peanut butter.....	89
Spices.....	19
Tea.....	18

SCHEDULE B—Continued

Restricted foods:	<i>Applicable Food Distribution Order</i>
Dried Milk (Excepting skim).....	93
Cheese and Cheese Foods (Excepting Cheddar, cottage, pot and bakers).....	92

SCHEDULE C

Designated foods:	
Canned fish and shellfish (Limited to Maine and California sardines, salmon, shrimp, mackerel).....	44
Canned fruits and fruit juices (Limited to apples, apricots, berries, red sour pitted cherries, figs, fruit-cocktail, grapefruit, peaches, pears, pineapple, orange juice, grapefruit juice, orange and grapefruit juice, and pineapple juice).....	22-4
Canned vegetables and vegetable juices (Limited to asparagus, lima beans, snap beans, beets, carrots, corn, peas, pumpkin and squash, spinach, tomatoes, tomato puree, tomato paste, tomato juice, and tomato catsup).....	22-4
Dehydrated vegetables (Limited to beets, cabbage, onions and rutabagas).....	30
Dried fruits (Limited to apples, apricots, pears, peaches, prunes, and raisins).....	16

WAR FOOD ADMINISTRATION

[WFO 74-3]

PART 1598—GENERAL REGULATIONS

REVISION OF SCHEDULES

Pursuant to the authority vested in me by the provisions of War Food Order 74, as amended (9 F.R. 8002), Schedules A, B, and C to that order are hereby revised to read as follows:

SCHEDULE A

Set aside foods:	Applicable War Food Order
American (Cheddar) cheese.....	15
Beef.....	75.2
Pork.....	75.3
Turkeys.....	106
Dried Skim Milk.....	54
Rice.....	10
Butter.....	2

SCHEDULE B

Restricted foods:	
Frozen dairy foods.....	8

Applicable War Food Order

Restricted foods—Con.

Fats and oils (excluding lard), (Limited to salad and cooking fats, shortening and compounds, margarine, and soap (bar soap and soap powder))	42
Honey.....	47
Imported salted fish.....	72
Milk, Milk by-products, and cream.....	79
Molasses.....	51
Peanuts and peanut butter.....	89
Spices.....	19
Tea.....	18
Dried Milk (Excepting skim).....	93
Cheese and Cheese Foods (Excepting Cheddar, cottage, pot and bakers) ..	92

SCHEDULE C

Designated foods:	
Canned fish and shellfish (Limited to Maine and California sardines, salmon, mackerel).....	44
Canned fruits and fruit juices (Limited to apples, apricots, berries, red sour pitted cherries, figs, fruit-cocktail, grapefruit, peaches, pears	

Applicable War Food Order

Designated foods—Con.

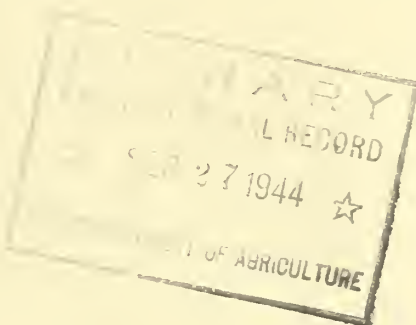
pineapple, orange juice, grapefruit juice, orange and grapefruit juice, and pineapple juice).....	22.5, 6
Canned vegetables and vegetable juices (Limited to asparagus, lima beans, snap beans, beets, carrots, corn, peas, pumpkin and squash, spinach, tomatoes, tomato puree, tomato paste, tomato juice, and tomato catsup).....	22.6
Dried fruits (Limited to apples, apricots, pears, peaches, prunes, and raisins).....	16

This revision shall be effective on September 15, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; W.F.O. 74, 8 F.R. 13880, 14017, 15655, 9 F.R. 4321, 4319, and 8002)

Issued this 11th day of September 1944.

LEE MARSHALL,
Director of Distribution.



WAR FOOD ADMINISTRATION

[WFO 74-4]

SCHEDULE C

PART 1598—GENERAL REGULATIONS

REVISION OF SCHEDULES

Pursuant to the authority vested in me by the provisions of War Food Order No. 74, as amended (9 F.R. 8002, 10 F.R. 103), Schedules A, B, and C to that order are hereby revised to read as follows:

SCHEDULE A

	Appli- cable war food order
Set aside foods:	
American (Cheddar) cheese-----	15
Beef-----	75.2
Pork-----	75.3
Dried Skim Milk-----	54
Rice-----	10
Butter-----	2

SCHEDULE B

Restricted foods:	
Frozen dairy foods-----	8
Fats and oils (excluding lard), (Limited to salad and cooking fats, shortening and compounds, margarine, and soap (bar soap and soap powder))-----	42
Honey-----	47
Imported salted fish-----	72
Milk, Milk by-products, and cream---	79
Molasses-----	51
Spices-----	19
Tea-----	18
Dried Milk (Excepting skim)-----	93
Cheese and Cheese Foods (Excepting Cheddar, cottage, pot and bakers) -	92

Designated foods:

Canned fish and shellfish (Limited to Maine and California sardines, salmon, mackerel)-----	44
Canned fruits and fruit juices (Limited to apples, apricots, berries, red sour pitted cherries, figs, fruit-cocktail, grapefruit, peaches, pears, pineapple, orange juice, grapefruit juice, orange and grapefruit juice, and pineapple juice)---	22.5, 6
Canned vegetables and vegetable juices (Limited to asparagus, lima beans, snap beans, beets, carrots, corn, peas, pumpkin and squash, spinach, tomatoes, tomato puree, tomato paste, tomato juice, and tomato catsup)-----	22.6
Dried fruits (Limited to apples, apricots, pears, peaches, prunes, and raisins)-----	16

This revision shall be effective on January 21, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 74, 8 F.R. 13880, 14017, 15655, 9 F.R. 4321, 4319, and 8002, 10 F.R. 103)

Issued this 20th day of January 1945.

RALPH W. OLMSTEAD,
Acting Director of Supply.

War Food Administration,
Summary to WFO 74-4.

To keep pace with the changing food picture, the War Food Administration has made two revisions in War Food Order 74 which requires that ship suppliers be licensed in order to buy set-

aside, restricted and designated foods for ultimate resale to ship operators.

Turkey will be removed from Schedule A (set-aside foods) and peanuts and peanut butter will be deleted from Schedule B (restricted) foods.

The turkey order (WFO 106) was suspended in November, 1944 when the

Army's requirements for turkey for holiday dinners had been met. WFO 89, relating to the conservation and distribution of peanuts and peanut butter, was cancelled this month after it was determined that quotas were not required.

GPO—WFA 281—p. 1

WAR FOOD ADMINISTRATION
OFFICE OF DISTRIBUTION
WASHINGTON 25, D. C.
OFFICIAL BUSINESS

Penalty for Private Use to Avoid Payment of
Postage, \$300

733 F
Biscuit

WAR FOOD ADMINISTRATION

[WFO 74-5]

PART 1598—GENERAL REGULATIONS

REVISION OF SCHEDULES

Pursuant to the authority vested in me by the provisions of War Food Order No. 74, as amended (9 F.R. 8902, 10 F.R. 103), Schedules A and C to that order are hereby revised to read as follows:

SCHEDULE A

	Applicable War Food Order
Set aside foods:	
American (Cheddar) cheese.....	15
Beef.....	75.2
Pork.....	75.3
Dried Skim Milk.....	54
Rice.....	10
Butter.....	2
Lard.....	75.3

SCHEDULE C

Designated foods:

Canned fish and shellfish (Limited to Maine and California sardines, salmon, mackerel).....	44
Canned fruits and fruit juices (Limited to apples, apricots, berries, red sour pitted cherries, figs, fruit-cocktail, grapefruit, peaches, pears, pineapple, applesauce, blueberries, sweet cherries, orange juice, grapefruit juice, orange and grapefruit juice, and pineapple juice).....	22
Canned vegetables and vegetable juices (Limited to asparagus, lima beans, snap beans, beets, carrots, corn, peas, pumpkin and squash, spinach, tomatoes, tomato puree, tomato paste, tomato juice, tomato catsup, and sauerkraut).....	22

Applicable War Food Order

SCHEDULE C—Continued

Designated foods:

Dried fruits (Limited to apples, apricots, pears, peaches, prunes, and raisins).....	16
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Applicable War Food Order

This revision shall be effective on February 19, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 74, 8 F.R. 13880, 14017, 15655, 9 F.R. 4321, 4319, and 8002, 10 F.R. 103)

Issued this 19th day of February 1945.

RALPH W. OLMSTEAD,
Director of Supply.

War Food Administration,
Summary to WFO 74-5.

Amendment to WFO 74 Affecting Ship Suppliers

To assist ship suppliers in purchasing foods for provisioning merchant marine ships, the War Food Administration has announced the addition of Lard to the list of Set Aside Foods covered by WFO

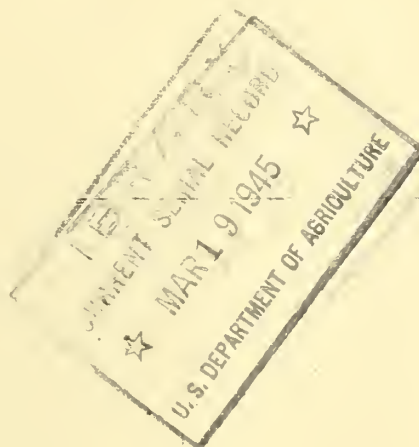
74. At the same time, four canned fruits and vegetables, namely, Canned Apple-sauce, Canned Blueberries, Canned Sweet Cherries, and Canned Sauerkraut, were added to the Designated Foods. These four canned items will be handled under the provisions of the Order in the same manner as other canned fruits and vegetables now covered.

With respect to Lard, it is essential

that ship suppliers, in preparing their next monthly reports, state thereon their ship stores quota. This quota is the quantity of Lard sold directly to operators during any two calendar months of the period July 1, 1942, to June 30, 1943. In connection with this quota figure, ship suppliers must certify that it was computed under the provisions of paragraph (a) (9) of War Food Order 74.

WAR FOOD ADMINISTRATION
OFFICE OF MARKETING SERVICES
WASHINGTON 25, D. C.

OFFICIAL BUSINESS



GPO—WFA 317—p. 1

Penalty for Private Use to Avoid Payment of
Postage, \$300
GPO

WAR FOOD ADMINISTRATION

[WFO 74-6]

PART 1598—GENERAL REGULATIONS

REVISION OF SCHEDULES

Pursuant to the authority vested in me by War Food Order No. 74, as amended (9 F.R. 8002, 10 F.R. 103), Schedule A to that order is hereby revised to read as follows:

SCHEDULE A

Set aside foods:	Applicable War Food order
American (Cheddar) cheese	15
Beef	75-2
Pork	75-3
Dried Skim Milk	54
Rice	10
Butter	2
Lard	75-3
Veal	75-4
Lamb	75-5

This revision shall become effective at 12:01 a. m., e. w. t., April 30, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 74, 9 F.R. 8002, 10 F.R. 103)

Issued this 28th day of April 1945.

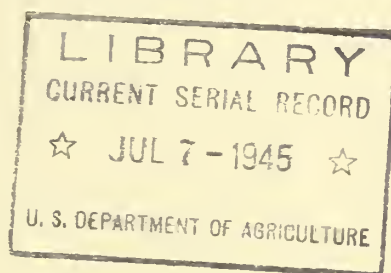
RALPH W. OLMSTEAD,
Director of Supply.

War Food Administration,
Summary to WFO-74-6.

The War Food Administration has added veal and lamb to the list of set-

aside foods that ship suppliers licensed under War Food Order 74 may buy for ultimate resale to ship operators. This action was taken as the result of action taken by WFA to place veal and lamb

under set-aside. Under the amendment ship suppliers in preparing their monthly reports hereafter should furnish complete information regarding their activities in veal and lamb.



733 F
5
DEPARTMENT OF AGRICULTURE

WFO 74

TERMINATION

NOV. 30, 1945

[WFO 74, as Amended, Termination]

PART 1598—GENERAL REGULATIONS

LICENSED SHIP SUPPLIERS PERMITTED TO
BUY SET-ASIDE AND RESTRICTED FOOD

War Food Order No. 74, as amended (8 F.R. 13880, 14017, 15655, 9 F.R. 4319, 8002, 10 F.R. 103, 10419, 5759), is hereby terminated as of 12:01 a. m., e. s. t., December 1, 1945. Notwithstanding such termination, each licensed ship supplier shall file a report on Form FDO 74-2 with Administrator, War Food Order 74, United States Department of Agriculture,

Washington 25, D. C. not later than December 10, 1945 with respect to food handled by him during the month of November, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 74, as amended, prior to the effective time of this termination order, all of the provisions of the said War Food Order No. 74, as amended, in effect prior to the effective time of this termination order shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other pro-

ceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 9 F.R. 14783; E.O. 9577, 10 F.R. 8087)

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of November 1945.

[SEAL]

CLINTON P. ANDERSON,
Secretary of Agriculture.

U. S. Department of Agriculture
Summary to WFO-74 Termination

USDA TERMINATES WFO 74

The U. S. Department of Agriculture announced today that War Food Order 74, which permitted licensed ship suppliers to obtain set-aside and restricted foods for War Shipping Administration vessels, will be terminated effective December 1, 1945. This action was taken because war food orders affecting many of the foods covered under WFO 74 have been suspended or terminated. As a result, the need of ship suppliers for the procurement assistance provided by the Order has diminished to the point that the continuance of WFO 74 is no longer considered necessary.

War Food Order 74, formerly known as Food Distribution Regulation No. 3, was put into effect December 1, 1943. By means of a certificate plan, ship suppliers holding licenses under the Order were enabled to purchase and stockpile set-aside and restricted foods for ultimate delivery to ships operating under the direction of the War Shipping Administration and vessels of allied or neutral countries named by that agency. These foods were used to feed ships' crews, Navy armed guards, Navy gun crews, and troops carried on War Shipping Administration troop transports. WFO 74 also gave the Department of Agriculture effective control over scarce foods required by ships for ships stores, eliminated the cumbersome process of direct procurement by War Shipping Administration,

and permitted the ship supply business to remain in the hands of commercial suppliers.

Ship suppliers are reminded that a report (Form FDO-74-2) for the month of November 1945 should be mailed to the Order Administrator of WFO 74 by the 10th of December. This report, which is the last one required under the Order, is necessary to complete the records of ship suppliers' activities during the entire effective period of WFO 74.

Approved ship suppliers designated by War Shipping Administration, after December 1, 1945, may obtain food subject to set-aside or quota restrictions of War Food Orders Nos. 10, 16, 19, 42, 42b, and 75-3 under amendments to those orders which will be effective on that date.

GPO—WFA 618—p. 1

